

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
MAY 18, 2005**

A public hearing was held at 6:30 p.m. on Wednesday, May 18, 2005 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

**Roll Call.**

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Absent
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the members of the legislative body must be in attendance. Six of the seven members were in attendance which constitutes a majority; therefore, there was a quorum for the hearing.

Mayor Schmitt then invited all those present to recite the Pledge of Allegiance.

The purpose of the hearing was to receive public comments concerning the petition of Hoosier Hills Credit Union, John B. Habig, Daniel W. Hasenour and Ann E. Hasenour to vacate Schlachter Avenue, a platted street located between 30<sup>th</sup> Street and 31<sup>st</sup> Street.

Notice appeared in the Herald on April 25, 2005. Notice was also posted at city hall.

Mayor Schmitt then asked for public comment and if there were any remonstrators present.

Mark McConnell, attorney for the petitioners, and Steve Uhl with Hoosier Hills Credit Union, were present. Mr. McConnell presented a map of the area and said the street had been platted but never developed. He reported that the Utility Service Board had approved the vacation, subject to obtaining a public utility and drainage easement. Mayor Schmitt said he noticed paving is already done in that area and asked who had authorized paving on the city's property. Mr. Uhl explained that the area had been paved to provide access to the facility. Mr. McConnell responded that utility department managers were aware of the site plan and had worked with Hoosier Hills Credit Union to re-locate utilities. Schmitt said the Board of Public Works and Safety had not authorized the paving and wanted it noted for future reference that before one makes improvements on City right-of way, one needs to seek proper approval. City Engineer Chad Hurm

stated that Hoosier Hills Credit Union had been informed that if they wanted the street maintained by the City, they would have to improve the street to city standards. Hurm also presented a departmental review. He said there were no objections to the vacation provided a public utility and drainage easement was retained.

City Attorney Sandra Hemmerlein requested a publisher's affidavit for city records which McConnell so presented. Hemmerlein also reported that the name of Schlachter Avenue was incorrectly listed in the petition and on the map as Schlacter Street. She stated that she had checked the records at the Court House and the correct name is Schlachter Avenue.

There were no other comments and no remonstrators present.

On **motion** made by Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt, and unanimously agreed, the public hearing was closed at 6:45 p.m.

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**William J. Schmitt, Mayor**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Cynthia Kluemper, Recording Secretary